

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BOARD OF TRUSTEES OF THE PIPE
TRADES DISTRICT COUNCIL NO. 36
HEALTH AND WELFARE TRUST FUND,
et al.,

Plaintiffs,

v.

SMS INDUSTRIAL INC., et al.,

Defendants.

Case No. [19-cv-07444-JCS](#)

Also Filed in Case No. 18-cv-00500-AGT


**SUA SPONTE REFERRAL TO
DETERMINE WHETHER CASES ARE
RELATED**

This case (No. 19-cv-07444-JCS, the “7444 Case”) shares largely the same parties, attorneys, and claims (albeit arising over a different period of time) as an earlier-filed case assigned to the Honorable Alex Tse, *Board of Trustees of the Pipe & Trades Council No. 36 Health & Welfare Trust Fund v. S M S Industrial Inc.*, No. 18-cv-00500-AGT (N.D. Cal.) (the “0500 Case”). Both cases are currently set for case management conferences on February 14, 2020 at 2:00 PM, in separate courtrooms. The parties’ case management statement in the 0500 Case indicates that they are attempting to reach a global settlement of the two cases. The case management statement in the 7444 Case includes no reference to the 0500 Case. Neither statement indicates that counsel is currently committed to appearing in two different places at the same time on February 14th.

The 7444 Case is hereby REFERRED to Judge Tse pursuant to Civil Local Rule 3-12(c) to determine whether it is related to the 0500 Case. Any party may file a response to this order in support of or opposition to finding the cases related, no later than February 11, 2020. *See* Civ. L.R. 3-12(c), 3-12(e), 7-11(b).

IT IS SO ORDERED.

Dated: February 7, 2020


JOSEPH C. SPERO
Chief Magistrate Judge